

**RECEIVED
CENTRAL FAX CENTER****SEP 26 2005****DECLARATION
Serial No. 10/055,310
Page 1 of 3****IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE****PATENT APPLICATION**Applicant: **Noorbakhsh, et al.**Case: **004150.D1/ETCH/DRIE/JB1**Serial No.: **10/055,310**Filed: **January 22, 2002**Examiner: **Alejandro Mulero, Luz L.**Group Art Unit: **1763**Confirmation No.: **9294**Title: **TEMPERATURE CONTROLLED SEMICONDUCTOR PROCESSING
CHAMBER LINER**Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**CERTIFICATE OF FACSIMILE
TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that this correspondence and the documents referred to as attached therein are being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number indicated by the Examiner, namely, fax number 571-273-8300 to the attention of the named Examiner, on the date below.

September 26, 2005
Date
Signature

S I R:

DECLARATION UNDER 37 C.F.R. §1.131

I, Hamid Noorbakhsh, declare as follows:

1. I am one of the inventors of the subject application and one of authors of the attached Exhibit A.
2. Exhibit A is a copy of an invention alert that I and others submitted to the Applied Materials Patent Department as part of an invention disclosure that forms the basis of the present application. The invention alert indicates conception and reduction to practice of the claimed invention before September 23, 1999. All masked dates in Exhibit A are prior to September 23, 1999.

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3. The subject matter of Exhibit A was diligently prepared and filed as U.S. Patent Application Serial No. 10/055,310 beginning at a time prior to September 23, 1999, until the filing of priority application Serial No. 09/519,719 on March 7, 2000.

4. Exhibit A shows that the invention which forms the subject matter of the pending claims in the above-captioned patent application was conceived in the United States, specifically in the State of California, before September 23, 1999, and diligently reduced to practice in the United States by at least March 7, 2000, the filing date of U.S. priority application Serial No. 09/519,719.

5. Exhibit A includes a description of a thermally controlled apparatus for lining a processing chamber that defines a processing volume having – as recited in, for example, claim 1 – a base for substantially covering a bottom of the chamber and an inner wall connected to and extending upward from an inner side of the base. A substantially annular passage is formed in the base, the inner wall, or the base and the inner wall. The passage has an inlet and an outlet adapted to circulate a fluid through the passage. The passage is fluidly isolated from the processing volume. (See, *Exhibit A*, pages 3-5, paragraphs 7-8 and Figures 1-3.)

6. Exhibit A is offered as supporting evidence that the apparatus of the present invention was conceived in the United States before September 23, 1999, the earliest publication date of PCT Application No. WO 99/48130 which published September 22, 1999 to *Pu et al.*, and diligently reduced to practice by filing the priority application.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

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Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

9/20/05
DATE


HAMID NOORBAKHS

131 Affidavit From inventor.DOC